

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Davie Citizens and Firefighters for Better  
Public Safety**

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**Case No.: FEC 17-383**

**TO:** Davie Citizens and Firefighters for Better Public  
Safety  
Joseph Piccolo, Chair  
6992 NW 30th Avenue  
Ft. Lauderdale, FL 33309

Division of Elections  
500 S Bronough Street, Room 316  
Tallahassee, FL 32399

**NOTICE OF HEARING (AUTOMATIC FINE)**

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

**If you are the Respondent**, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

**If you are the Complainant**, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

**If you are an Appellant**, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Ann Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

**See further instructions on the reverse side.**

**Amy McKeever Toman**  
Executive Director  
Florida Elections Commission  
February 26, 2018

Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106.265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws. Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing.* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause. The Respondent will be permitted to testify. However, the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

**FLORIDA ELECTIONS COMMISSION  
CASE REPORT  
Case Number: FEC-17-383**

**NAME:** DAVIE CITIZENS AND FIREFIGHTERS FOR BETTER PUBLIC POLICY

**DATE APPEAL RECEIVED:** 10/31/17

**DATE REPORT DUE:** 09/22/17 (2017 M8)

**DATE OF ELECTRONIC RECEIPT:** 09/29/17

**DATE FILING OFFICER RECEIVED REPORT:** 09/29/17

**NUMBER OF DAYS LATE:** 7

**AMOUNT OF FINE:** \$122.75

**FINE BASED ON:** ( ) NUMBER OF DAYS (X) 25% OF RECEIPTS ( ) 25% OF EXPENDITURES

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$490.98

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$0.00

**DATE FIRST NOTIFICATION WAS SENT:** 09/26/17

CANDIDATE [ ]	STATE [X]
PC [X]	DISTRICT [ ]
CCE [ ]	COUNTY [ ]
POLITICAL PARTY [ ]	CITY [ ]
ECO [ ]	

**SUMMARY:** Davie Citizens and Firefighters for Better Public Policy is a political committee ("PC") registered with the State of Florida, Division of Elections ("DOE"). The PC's chair is Joseph Piccolo and its treasurer is Adam Konick. Its officers are local firefighters, and the PC is affiliated with Davie Professional Firefighters, International Association of Firefighters Local 2315.

The PC is appealing the fine claiming that due to being in the middle of recovery efforts from Hurricane Irma it missed the deadline (September 22, 2017), and did not realize its mistake until it was too late, according to Joseph Piccolo, chairman. The Division's late notice was dated September 26, 2017.

On November 16, 2017, during a telephone interview with Chairman Piccolo, he explained, "This is all new to me; I am first and foremost a firefighter, and I'm learning the system." He added that he had completed the report prior to the due date, and thought it was submitted. Then, after receiving the DOE's late notice indicating the report was not filed, he realized his error, and hit the submit button.

The Queued-Transactions Report for the 2017 M8 Report indicates the report was created and reviewed on September 12, 2017; however, it was not submitted until September 29, 2017.

**PRIOR CASES:** The PC has no history of prior cases before the Commission since the DOE placed its name on the DOE's active committee list as a PC on June 5, 2017.

**CORRECTION OF FINE:** Fine amount of \$122.75 is correct for the reporting period based upon 25% of total receipts of \$490.98.

<b>FEC ACTION:</b>	FINE DUE: \$ _____	DATE: _____
TIMELY FILED: YES _____ NO _____	UNUSUAL CIRCUMSTANCES: YES _____ NO _____	
WAIVER: PARTIAL _____ FULL _____	FINE INCORRECTLY CALCULATED: YES _____ NO _____	
UC REASON:		INITIALS:

ER



# DAVIE PROFESSIONAL FIREFIGHTERS

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2315

P.O. Box 291745 DAVIE, FL 33329

2017 OCT 31 A 11:05

STATE OF FLORIDA  
ELECTIONS COMMISSION

**President**  
*Joe Piccolo*  
754-234-0866

**Vice President**  
*Gary Spence*  
954-448-4523

**Secretary**  
*Kenneth Cox*  
305-898-6558

**Health/Safety**  
*Brent Bourgeois*  
954-661-3010

**Treasurer**  
*Adam Konick*  
954-881-1687

**10/23/2017**

**To: Florida Elections Commission**

**CC: Florida Division of Elections**

**From: Joseph Piccolo & Adam Konick**

**Ref: Pac 69864**

I am writing you this letter to appeal, and please excuse our tardiness with the filing of the September 2017 report. We were in the midst of the recovery efforts from Hurricane IRMA and did not realize our mistake until it was too late. Please forgive us for this dereliction.

Sincerely,

Joseph Piccolo

Adam Konick

**FLORIDA ELECTIONS COMMISSION**  
**PHONE LOG**  
**Case No.: FEC 17-383**

**Appellant:** Davie Citizens and Firefighters for Better Public Safety

**Complainant/Filing Officer:** Division of Elections

1. **Date and time:** 11/15/17; 12:39 p.m.  
**Name:** Joseph Piccolo, Chairman  
**Phone #:** 754-234-0866  
**Summary:** I phoned, reached his voice-mailbox, I identified myself, explained that the call was for Chairman Piccolo, identified the Appellant, indicated I had received his appeal, provided my contact number and requested he return my call.  
**Memo to File?** No  
**Entered by:** HH
  
2. **Date and time:** 11/15/17; 4:34 p.m.  
**Name:** Joseph Piccolo, Chairman  
**Phone #:** UNK  
**Summary:** He returned my call and reached my voice-mailbox; he explained he's on duty today and things have been hectic, he provided his contact number at the station.  
**Memo to File?** No  
**Entered by:** HH
  
3. **Date and time:** 11/15/17;  
**Name:** Joseph Piccolo, Chairman  
**Phone #:** 754-234-0866  
**Summary:** I phoned, and reached his voice-mailbox; I identified myself, apologized for playing phone tag, explained I will be available today until 6 p.m. if he's able to return my call today, and provided my contact number.  
**Memo to File?** No  
**Entered by:** HH
  
4. **Date and time:** 11/16/07; 3:10 p.m.  
**Name:** Joseph Piccolo, Chairman  
**Phone #:** 754-234-0866 (caller I.D.)  
**Summary:** He returned my call; he identified himself, explained, "This is all new to me; I am first and foremost a firefighter, and I'm learning the system." He explained he completed the report prior to the due date, and thought it was submitted; then after receiving the DOE's late notice that the report was not filed, he realized his error, and hit the submit button. I suggested he print a copy after submitting the report to verify that it was submitted; he thought that was a good idea and will do that now. The Queued-Transactions Report for the 2017 M8 Report indicates the report was created and reviewed on September 12, 2017; however, it was not submitted until September 29, 2017.

I explained I will complete a report, based upon his letter appealing the fine, and any additional statements he provides to me, which will be presented to the Commission by legal staff at its next available meeting, probably February/March 2018. I added that I had sent an email to him on November 6, 2017, provided the time, and never received a response; Chairman Piccolo asked to which email address I had sent the email, and while on the phone he located the email, and affirmed he will respond to my email.

**Memo to File?** No

**Entered by:** HH

5. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

6. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

7. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

8. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

9. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Memo to File?** No

**Entered by:**

10. **Date and time:**

**Name:**

**Phone #:**



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

October 11, 2017

Adam Konick, Treasurer  
Davie Citizens and Firefighters for Better Public Safety  
Post Office Box 291745  
Davie, FL 33329-3329

PAC 69864

Dear Mr. Konick:

The campaign treasurer's report that was due on September 22, 2017, was filed on September 29, 2017. By law, you are automatically assessed a late fine of \$122.75.

**You have 20 days from the receipt of this notice to either:**

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections  
R.A. Gray Building, Room. 316  
500 South Bronough Street  
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission  
107 West Gaines Street, Ste. 224  
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief  
Bureau of Election Records

cc: Joseph Piccolo, Chairperson



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

September 26, 2017

Adam Konick, Treasurer  
Davie Citizens and Firefighters for Better Public Safety  
Post Office Box 291745  
Davie, FL 33329-3329

PAC 69864

Dear Mr. Konick:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 22, 2017.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
  - \$50 per day for the first 3 days late
  - \$500 per day for each day after the 3rd day late
  - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Willis".

Kristi Reid Willis, Chief  
Bureau of Election Records

cc: Joseph Piccolo, Chairperson



**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Davie Citizens and Firefighters for Better Public Safety (2) 69864  
Candidate, Committee or Party Name I.D. Number

(3) 6992 NW 30th Ave Fort Lauderdale FL 33309  
Address (number and street) City State Zip Code  
 Check box if address has changed since last report

(4) Check appropriate box(es):  
 Candidate (office sought):  
 Political Committee  Check If PC has DISBANDED  
 Committee of Continuous Existence  Check If CCE has DISBANDED  
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 08/01/2017 To 08/31/2017 Report Type: M8  
 Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$490.98
Loans	\$0.00
<i>Total Monetary</i>	\$490.98
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$0.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$0.00

(8) Other Distributions

Certification

It is a first degree misdemeanor for any person to falsify a public record (ss.839.13, F.S.)

I certify that I have examined this report and it is true, correct and complete

Name of  Treasurer  Deputy Treasurer

X  
Signature

I certify that I have examined this report and it is true, correct and complete

Name of  Candidate  Chairman (PC/PTY Only)

X  
Signature

Name: Davie Citizens and Firefighters for Better Public Safety

Report: 2017 M8

Period: 08/01/2017 to 08/31/2017

## \*\* Records in Filed Report \*\*

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
1	147 MEMBERS @ 20.04	O		\$490.98
08/10/2017	P.O. BOX 291745 DAVIE, FL	MUC		

ID:

**CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES**

Name: Davie Citizens and Firefighters for Better Public Safety

Report: 2017 M8

Period: 08/01/2017 to 08/31/2017

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend

ID:

**CAMPAIGN TREASURER'S REPORT - ITEMIZED DISTRIBUTIONS**

Name: Davie Citizens and Firefighters for Better Public Safety Report: 2017 M8 Period: 08/01/2017 to 08/31/2017

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Recipient	Purpose	Amount
Date	Street Address & City, State, Zip	Type	Related Expenditure	Amend

ID:

**CAMPAIGN TREASURER'S REPORT - ITEMIZED FUNDS TRANSFERS**

Name: Davie Citizens and Firefighters for Better Public Safety

Report: 2017 M8

Period: 08/01/2017 to 08/31/2017

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

# Queued Items for 2017-M8

Account: 69864

**Davie Citizens and Firefighters for Better Public Safety**

Rpt Seq: 3

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	69864	9/12/2017 1:46:57 PM	9/12/2017 1:46:57 PM
Review Pending Report	Processing Complete	69864	9/12/2017 1:47:17 PM	9/12/2017 1:47:17 PM
File Pending Report	Processing Complete	69864	9/29/2017 12:42:25 PM	9/29/2017 12:42:25 PM



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

**Committee Name:** Davie Citizens and Firefighters for Better Public Safety

Name:

**Account:** 69864

Election:

Acct:

Type:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
11/13/2017	M10	11/1/2017						
10/10/2017	M9	10/5/2017						
9/22/2017	M8	9/29/2017	APP	7	\$122.75		\$122.75	\$0.00
8/10/2017	M7	8/9/2017						
7/10/2017	M6	7/3/2017						

**STATE OF FLORIDA  
OFFICE OF THE SECRETARY OF STATE  
FLORIDA DEPARTMENT OF STATE  
EMERGENCY ORDER NUMBER 17-1  
(Emergency Management/Elections – Hurricane Irma)**

WHEREAS, on September 4, 2017, Governor Rick Scott issued Executive Order 17-235, declaring a state of emergency as a result of the threat posed to the State of Florida due to storm conditions forecast as a result of Hurricane Irma;

WHEREAS, on September 6, 2017, Governor Rick Scott issued Executive Order 17-236, authorizing, among other things, the Secretary of State to modify, amend, or suspend any deadline imposed pursuant to Chapters 97 through 106, Florida Statutes, to the extent those deadlines cannot be complied with by any county or candidate due to the emergency declared in Executive Order 17-235;

WHEREAS, on Sunday, September 10, 2017, Hurricane Irma initially made landfall in the Florida Keys as a Category 4 hurricane and then made a second landfall, hitting Florida's southwest coast as a Category 3 hurricane, before traveling north up the entire length of the Florida peninsula;

WHEREAS, the damage caused by Hurricane Irma is widespread throughout Florida, including, among other things, power outages affecting millions of Floridians;

WHEREAS, electronically filed campaign finance reports were due at the State, County and/or Municipal level on September 11, 2017, pursuant to chapter 106, Florida Statutes;

NOW, THEREFORE, I, KEN DETZNER as Florida Secretary of State, by virtue of the authority vested in me by Executive Order Number 17-236, Section 6, the Florida



Elections Emergency Act, Sections 101.731-101.74, Florida Statutes, and all other applicable laws, promulgate the following Emergency Order, to take immediate effect:

Section 1. Based on the foregoing, I declare the circumstances resulting from Hurricane Irma have affected candidate and political entities from being able to comply with the campaign finance reports due to the Florida Department of State, Division of Elections, on September 11, 2017, pursuant to chapter 106, Florida Statutes.

Section 2. I, therefore, hereby extend the deadline for all campaign finance reports due to the Florida Department of State, Division of Elections, on Monday, September 11, 2017. The new deadline for filing all State campaign finance reports to the Florida Department of State, Division of Elections, is midnight (Eastern Time), Friday, September 22, 2017.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 15th day of September 2017.

*Ken Detzner*

KEN DETZNER, SECRETARY OF STATE  
FLORIDA DEPARTMENT OF STATE

RECEIVED  
2017 SEP 15 PM 6:41  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA